



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 08-927

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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES THAT APPLICATIONS FOR 700 MHz BAND LICENSES ARE ACCEPTED FOR FILING

Auction No. 73

Report No. AUC-73 (Auction No. 73)

On March 20, 2008, the Federal Communications Commission completed an auction of licenses in the 698-806 MHz band ("700 MHz Band") (Auction No. 73).¹ The long-form applications (FCC Form 601) for the 700 MHz Band licenses listed in Attachment A² have been found, upon initial review, acceptable for filing.³ The Commission may return or dismiss any application if it is found, upon further examination, to be defective or not in conformance with the Commission's rules. See 47 C.F.R. § 1.934(a), (d).

¹ Auction of 700 MHz Band Licenses Closes; Winning Bidders Announced for Auction 73, *Public Notice*, DA 08-595 (WTB rel. Mar. 20, 2008).

² Attachment A1 contains the same information as Attachment A, sorted by market and block rather than by applicant name.

³ Certain applicants failed to file the required long-form application ("FCC Form 601") and Ownership Report ("FCC Form 602") by April 3, 2008, as required by section 1.2107 of the Commission's Rules, 47 C.F.R. § 1.2107(c), (f), and have sought waivers to allow late filing of these forms. See Bascom Long Distance Inc., FCC Forms 601 and 602, File Nos. 0003385275 and 0003385300 (filed April 4, 2008); Iowa Telecommunications Services, Inc., FCC Forms 601 and 602, File Nos. 0003387674 and 0003387670 (filed April 7, 2008); David Miller, FCC Forms 601 and 602, File Nos. 0003385604 and 0003385416 (filed April 4, 2008). Certain applicants failed to file the required FCC Form 601 by April 3, 2008, as required by section 1.2107 of the Commission's Rules, 47 C.F.R. § 1.2107(c), and have sought waivers to allow late filing of their FCC Form 601. See GreenFly LLC, FCC Form 601, File No. 0003385856 (filed April 4, 2008); MTA Communications, Inc., FCC Form 601, File No. 0003382270 (filed April 7, 2008); Scott D. Reiter, FCC Form 601, File No. 0003387252 (filed April 7, 2008). Certain applicants failed to file the required FCC Form 602 by April 3, 2008, as required by section 1.2107 of the Commission's Rules, 47 C.F.R. § 1.2107(f), and have sought waivers to allow late filing of their FCC Form 602. See Chevron USA Inc., FCC Form 602, File No. 0003386014 (filed April 4, 2008); Cross Telephone Company, LLC, FCC Form 602, File No. 0003385573 (filed April 4, 2008); Glenwood Telephone Membership, Corporation, FCC Form 602, File No. 0003387087 (filed April 7, 2008); LL License Holdings, LLC, FCC Form 602, File No. 0003398784 (filed April 16, 2008) (request for waiver to file the FCC Form 602 after the deadline is attached to the FCC Form 601s, File Nos. 0003379927 and 0003380049); Maxima International LLC, FCC Form 602, File No. 0003387837 (filed April 7, 2008); Pioneer Telephone Cooperative, Inc., FCC Form 602, File No. 0003387059 (filed April 7, 2008). We hereby find that it is in the public interest to waive section 1.2107 of the Commission's rules, as applicable. Because each of these applicants timely met its down payment requirement and submitted the missing form(s) within two business days after being notified of the failure to meet the filing deadline, the post-auction licensing process for Auction No. 73 was not significantly delayed or materially affected. Thus, under the circumstances, we believe that grant of the waiver requests associated with these FCC Forms 601 and 602 is appropriate, pursuant to sections 0.331 and 1.925 of the Commission's Rules. 47 C.F.R. §§ 0.331, 1.925.

Petitions to deny the applications listed in Attachment A must be filed no later than **May 2, 2008**, ten (10) days after the date of this Public Notice. *See* 47 C.F.R. § 1.2108(b). Oppositions to a petition to deny must be filed no later than **May 9, 2008**, five (5) business days after the filing date for petitions to deny. *See* 47 C.F.R. § 1.2108(c). Replies to oppositions must be filed no later than **May 16, 2008**, five (5) business days after the filing date for oppositions. *See* 47 C.F.R. § 1.2108(c). All pleadings filed regarding 700 MHz Band long-form applications should refer to **Report No. AUC-73**, as well as to the specific file number of the individual application.

Submissions may be filed electronically, through the Commission's Universal Licensing System ("ULS"), or by paper,⁴ pursuant to the instructions below.

- **If filed electronically**, the ULS website may be accessed at <http://wireless.fcc.gov/uls/>. From the ULS website, interested parties begin the process of submitting a pleading by clicking on the "SUBMIT A PLEADING" link. The link takes the user first to the *Pleadings Information* Screen. Upon completion of that screen, clicking "CONTINUE" will take the user to the *File Numbers/Call Signs* Screen. Upon completing that screen, the user continues to complete the third and fourth steps of the process, in the *Attach File* and *Confirmation* Screens, respectively. Each screen will indicate the information to be supplied and/or the action(s) to be performed for completion of that screen. Additionally, a more detailed description of the instructions can be found in the *Public Notice* announcing the enhancement of ULS to implement electronic filing for pleadings.⁵
- **If filed by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) Erin McGrath, Mobility Division, Wireless Telecommunications Bureau, at erin.mcgrath@fcc.gov, or (202) 418-7224 (facsimile); and (3) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at kathy.harris@fcc.gov, or (202) 418-7224 (facsimile).

⁴ The Commission enhanced ULS to implement the electronic filing of pleadings. *See* Wireless Telecommunications Bureau Enhances the Commission's Universal Licensing System to Implement Electronic Filing for Pleadings, *Public Notice*, 21 FCC Rcd 424 (WTB 2006) ("ULS Pleadings Implementation PN"); *see also* FCC Announces New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001); Reminder: Filing Locations for Paper Documents and Instructions for Mailing Electronic Media, *Public Notice*, 18 FCC Rcd 16705 (2003).

⁵ *See ULS Pleadings Implementation PN*, 21 FCC Rcd at 425.

The applications listed in Attachments A are available to the public for electronic viewing in the Commission's Universal Licensing System ("ULS"). Instructions for accessing and using ULS are contained in Attachments B and C of this Public Notice.

Any amendments to FCC Form 601 applications must be filed electronically. For technical assistance in using ULS for viewing applications or making amendments to applications, contact the FCC Technical Support Hotline at (202) 414-1250, or Denise Walter at (202) 418-0620. The FCC Technical Support Hotline generally will be available Monday through Friday, from 9 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded. Questions regarding procedural issues should be directed to Erin McGrath at (202) 418-0620.

This Public Notice contains the following attachments:

- Attachment A: List of Applications Accepted for Filing – Sorted by Applicant.
- Attachment A1: List of Applications Accepted for Filing – Sorted by Market and Channel Block.
- Attachment B: Instructions for Searching for Applications Listed in Attachments A Using ULS.
- Attachment C: Instructions for Accessing the FCC Network Using Windows 95/98/2000/XP.